

**ORIGINAL****SEALED BY ORDER OF THE COURT****United States District Court**FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

for the

**DISTRICT OF HAWAII**

AUG 24 2006

at 10 o'clock and 00 min. 4 M  
SUE BEITIA, CLERKU.S.A. vs. GEORGE PAVAO III Docket No. CR 03-00546SOM-01**AMENDED REQUEST FOR COURSE OF ACTION  
(Statement of Alleged Violations of Supervised Release)**

COMES NOW MARK T. NUGENT, PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of GEORGE PAVAO III, who was placed on supervision by the Honorable Susan Oki Mollway, sitting in the Court at Honolulu, Hawaii, on the 13th day of April 2005, who fixed the period of supervision at 3 years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

1. That the defendant participate in a substance abuse program, which may include drug testing at the discretion and direction of the Probation Office.
2. That the defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**Alleged Violation(s) of Supervised Release

That the petition for Request for Course of Action filed on 6/26/2006 be amended to include the following additional charge:

5. That on or about 8/16/2006, the subject was terminated from the Salvation Army Adult Rehabilitation Center, in violation of Special Condition No. 1.

Based on the above, the U.S. Probation Officer recommends that a NO BAIL Warrant be issued and that the subject be brought before the Court to show cause why supervision should not be revoked.

**SEALED**  
BY ORDER OF THE COURT

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PRAYING THAT THE COURT WILL ORDER ONE OF THE FOLLOWING COURSES OF ACTION:

☒ The issuance of a NO BAIL warrant and that the subject be brought before the Court to show cause why supervision should not be revoked. The NO BAIL warrant and this Petition to be sealed for other than law enforcement purposes and until such time that the subject has been arrested and the warrant duly executed.

☐ Other

I declare under penalty of perjury that the foregoing is true and correct

Executed on 8/21/2006



MARK T. NUGENT  
U.S. Probation Officer

Approved by:



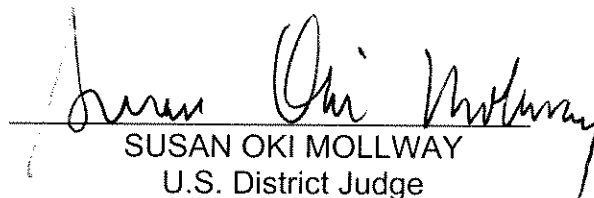
PETER D. YOSHIHARA  
Supervising U.S. Probation Officer

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ORDER OF COURT

THE COURT ORDERS the issuance of a NO BAIL warrant and that the subject be brought before the Court to show cause why supervision should not be revoked. The NO BAIL warrant and this Petition to be sealed for other than law enforcement purposes and until such time that the subject has been arrested and the warrant duly executed.

Considered and ordered this 21st day of August, 2006, and ordered filed and made a part of the records in the above case.



SUSAN OKI MOLLWAY  
U.S. District Judge

Re: **PAVAO III, George**  
**Criminal No. CR 03-00546SOM-01**  
**REVOCATION OF SUPERVISED RELEASE**

### **STATEMENT OF FACTS**

On 7/14/2006, the subject appeared for a hearing on An Order to Show Cause Why Supervised Release Should Not Be Revoked. At this hearing, the subject admitted to all the charged violations. However, based upon the subject's acceptance into the Salvation Army Adult Rehabilitation Center (ARC) six-month residential drug treatment program, the Court allowed the subject to be released to the ARC program and furthered the revocation hearing to 9/11/2006.

This report concerns the following violation:

**Violation No. 5 - Termination from the Salvation Army ARC program:** At the direction of the Court, on 7/14/2006, the subject entered into drug treatment at the Salvation Army ARC. The ARC program is a residential drug treatment program of approximately 6 months in duration.

On 8/21/2006, a representative from the ARC program reported that on 8/16/2006, the subject was discharged from its program. The representative explained that on 8/16/2006, the subject left the program without permission. The subject provided no explanation and did not return.


The subject has made no efforts to contact this officer and his whereabouts are unknown.

**Conclusion:** On 7/14/2006, the subject appeared for a hearing on An Order to Show Cause Why Supervised Release Should Not Be Revoked. At this hearing, the subject admitted to refusing to report for drug testing on two occasions, for failing to appear for substance abuse treatment on one occasion and for using illegal substances on numerous occasions. However, based upon the subject's acceptance into the Salvation Army ARC six-month residential drug treatment program, the Court allowed the subject to be released to the ARC program and continued the revocation hearing to 9/11/2006.

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**REVOCATION OF SUPERVISED RELEASE**  
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The subject entered residential treatment at the ARC program on 7/14/2006. Rather than take advantage of this opportunity, the subject left the program without explanation. The subject's recent conduct indicates he has ignored the rehabilitation opportunity provided by the Court and does not recognize the seriousness of being placed on supervised release. Additionally, his substantial substance abuse history coupled with his termination from residential drug treatment indicates that he poses a danger to the community. As a result, it is recommended that the Court issue a no-bail warrant for his appearance to show cause why supervised release should not be revoked.

Respectfully submitted by,



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MARK T. NUGENT  
U.S. Probation Officer

Approved by:



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PETER D. YOSHIHARA  
Supervising U.S. Probation Officer

MTN/dck

Re: **PAVAO III, George**  
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**NOTICE OF ADDITIONAL CONDITION(S) OF SUPERVISION THAT MAY WARRANT  
CONSIDERATION**

None.